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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 ROBERT H. JACKSON,

11 Petitioner,

No. CIV S-05-0081 FCD KJM P

12 vs.

13 SCOTT KERNAN (Warden),

14 Respondent.

ORDER

15 \_\_\_\_\_/  
16 Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of  
17 habeas corpus under 28 U.S.C. § 2254, together with a request to proceed in forma pauperis.

18 Examination of the in forma pauperis affidavit reveals that petitioner is unable to  
19 afford the costs of suit. Accordingly, the request for leave to proceed in forma pauperis is  
20 granted. See 28 U.S.C. § 1915(a).

21 Because petitioner may be entitled to the requested relief if the claimed violation  
22 of constitutional rights is proved, respondent will be directed to file an answer.

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1 In accordance with the above, IT IS HEREBY ORDERED that:

2 1. Petitioner's March 7, 2005 request to proceed in forma pauperis is granted;

3 2. Respondent is directed to file an answer within sixty days from the date of this  
4 order. See Rule 4, Rules Governing Section 2254 Cases. Respondent shall include with the  
5 answer any and all transcripts or other documents relevant to the determination of the issues  
6 presented in the application. Rule 5, Rules Governing Section 2254 Cases;

7 3. Petitioner's traverse, if any, is due on or before thirty days from the date  
8 respondents' answer is filed; and

9 4. The Clerk of the Court shall serve a copy of this order together with a copy of  
10 petitioner's application for writ of habeas corpus on Jo Graves, Senior Assistant Attorney  
11 General.

12 DATED: May 24, 2005.

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15 UNITED STATES MAGISTRATE JUDGE  
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